

MEETING
NAVAL WEAPONS STATION
SEAL BEACH DETACHMENT CONCORD
RESTORATION ADVISORY BOARD

CLYDE COMMUNITY CENTER
109 WELLINGTON AVENUE
CLYDE, CALIFORNIA

MONDAY, SEPTEMBER 9, 2002

7:00 P.M.

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APPEARANCES

ADVISORY BOARD MEMBERS

Marcus O'Connell, Community Co-Chairperson

Theresa Morley, Naval Co-Chairperson

David Baillie, US Navy

Evelyn Freitas, Resident

David Griffith, City of Concord

Mary Louise-Williams, Concord Resident

Ed McGee, Resident

Laurent, Meillier, Regional Water Quality Control Board

Raymond O'Brien, Bay Point Resident

Philip Ramsey, EPA Remedial Project Manager

Patricia Ryan, DTSC

Gil Rivera, US Navy

Tony Tactay, EFA West Navy

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PROCEEDINGS

CO-CHAIRPERSON O'CONNELL: I'll call the meeting to order. This is the Restoration Advisory Board of the Naval Weapons Station Concord.

We usually start off by introducing ourselves.

And I'll start off, we'll move down this direction, then to the audience, and back up on this side.

My name is Marcus O'Connell. I'm the Community Co-Chair. I live in Concord.

MS. CANEPA: My name is Joanna Canepa. I'm with Tetra Tech.

ADVISORY BOARD MEMBER GRIFFITH: My name is David Griffith. I work for the City of Concord.

ADVISORY BOARD MEMBER RAMSEY: Good evening. I'm Phillip Ramsey with the United States Environmental Protection Agency.

ADVISORY BOARD MEMBER RYAN: I'm Patricia Ryan with the California State Department of Toxic Substances Control.

MR. PINASCO: I'm Jim Pinasco, also with the Department of Toxic Substances Control.

ADVISORY BOARD MEMBER TACTAY: My name's Tony Tactay. I'm an environmental engineer for EFA West.

MR. FREITAS: Tom Freitas, Concord resident.

MR. SMITH: I'm Gregg Smith. I'm the Public

1 Affairs Officer for the Naval Weapons Station in Seal
2 Beach, which is the headquarters installation over the
3 installation here at Concord.

4 MR. ANDAL: I'm Amado Andal, Naval Weapons
5 Station Concord, environmental engineer.

6 MS. KLEIN: Cynthia Klein, with the Navy Region
7 Southwest.

8 ADVISORY BOARD MEMBER O'BRIEN: Ray O'Brien,
9 resident of Bay Point.

10 MS. ALTAMIRANO: Claudette Altamirano, Weston.

11 MR. PINARD: Tom Pinard, Navy, San Francisco
12 area.

13 ADVISORY BOARD MEMBER FREITAS: Evelyn Freitas,
14 Concord resident.

15 ADVISORY BOARD MEMBER McGEE: Ed McGee, Martinez
16 resident.

17 ADVISORY BOARD MEMBER WILLIAMS: Mary Lou
18 Williams, Concord resident.

19 ADVISORY BOARD MEMBER RIVERA: Gil Rivera,
20 environmental engineer with engineering activity with the
21 Navy.

22 ADVISORY BOARD MEMBER BAILLIE: David Baillie,
23 Environmental Director at Naval Weapons Station Seal
24 Beach.

25 CO-CHAIRPERSON MORLEY: Theresa Morley, Navy

1 Co-Chair.

2 Ray, are you going to come sit up here with us?

3 ADVISORY BOARD MEMBER O'BRIEN: No, it doesn't
4 matter to me.

5 CO-CHAIRPERSON O'CONNELL: Come on up.

6 MS. CANEPA: Yeah, there's plenty of room.

7 CO-CHAIRPERSON O'CONNELL: Well, the next thing
8 we do is we need a public comment.

9 Is there anyone -- basically the first public
10 comment is about anything that is not on tonight's agenda.
11 So a general comment. And afterwards, as we go through
12 the agenda items we'll be able to comment on each and
13 every agenda item itself.

14 So, first, the general comments, and are there
15 any?

16 Seeing none --

17 ADVISORY BOARD MEMBER O'BRIEN: Excuse me. I
18 would like to make one.

19 I have some questions regarding the circulative
20 map from Gil here regarding the removal action at Area of
21 Concern 1. And I was wondering what the -- I went down
22 there the other day and I was wondering what kind of
23 material, Gil, is being used? It appears to cover the
24 area. It looks like something that could accommodate
25 vehicles. It does not look like regular soil to me.

1 Could you amplify or clarify that for me?

2 ADVISORY BOARD MEMBER RIVERA: Okay. The Area of
3 Concern 1 is a site where we encountered near-surface
4 contamination. And the object of the project out there
5 was to remove what we call overburdened or a small
6 surface -- the small thickness surface soil and then
7 proceed with the excavation of what we looked at as
8 contaminated material. As I stated, it was near surface.
9 It was at least 1 to 2 feet below ground surface. That
10 material was excavated and was subsequently disposed of
11 appropriately as toxic waste or hazardous waste.

12 And then what we did was back up -- rather a
13 confirmation sampling to make sure that we had done the
14 excavation and removed the contaminated materials. And
15 then the site back-fill was begun.

16 Now, the site back-fill is done with clean fill,
17 meaning that the fill is sampled to ensure that it was not
18 contaminated, making sure that we're not cleaning up a
19 site and putting stuff back there that's either similarly
20 contaminated or contaminated to a greater degree. And the
21 site back filling is done in what they call lifts. In
22 other words it's done in layers and compacted until we
23 meet the original surface contours.

24 Now, the engineer in charge for that particular
25 project is Tony Tactay. And we've been working that

1 together.

2 As far as the material that's going back in
3 there, it should be similar characteristics to the
4 surrounding material in the area as far as --

5 ADVISORY BOARD MEMBER O'BRIEN: Well, I'm no
6 expert, but it looks to me like it would not support any
7 type of vegetation.

8 ADVISORY BOARD MEMBER TACTAY: Gil, not to -- my
9 name is Tony Tactay from EFA West.

10 It's true, those are not topsoil materials.
11 Those are structural fill materials that we have. So
12 after that one, then we will put a topsoil.

13 ADVISORY BOARD MEMBER O'BRIEN: I see.

14 I have a second question too.

15 There's some mention in here of some crude oil
16 leaks from Texaco-Chevron. And they would like to
17 participate in any sampling that is done, but no sampling
18 is planned. And they acknowledge that there have been
19 leaks in that pipeline. And I'm wondering if there is
20 anything planned to alleviate these spills that have gone
21 on and rectify the situation?

22 ADVISORY BOARD MEMBER RIVERA: At Area of Concern
23 1 we did identify during the excavation a stained area.
24 It was to my understanding a small area that was
25 subsequently excavated and removed with the resident

1 hazardous material. To the best of my knowledge we did
2 not encounter any extensive indicators of a petroleum at
3 least on that particular site.

4 Tony, you may want to elaborate on that or --

5 ADVISORY BOARD MEMBER TACTAY: Right. We have
6 not encountered -- just like what Gil had said, we have
7 not countered any petroleum release in the area. However,
8 we have some asphalt in there that we uncovered during the
9 excavation. And those were disposed readily as part of
10 this disposal process that we have with AOC 1. We have
11 not encountered anything, any release that came from the
12 area you have mentioned.

13 ADVISORY BOARD MEMBER O'BRIEN: Thank you.

14 CO-CHAIRPERSON O'CONNELL: Are there any other
15 public comments?

16 Well, with that I'll pass it over to Theresa.

17 CO-CHAIRPERSON MORLEY: Thanks, Marcus.

18 Does anyone have any comments on the August 5th
19 transcript? And before I say that, I apologize that it
20 got out so late. We changed contractors for RAB support.
21 And normally we were planning to get that back in ten days
22 to E-mail out everybody to have significant corrections,
23 like if you said something and something else was
24 recorded. And we will have that for the September -- for
25 this meeting. But, I'm sorry, we didn't get that out in

1 time for August.

2 But with that being said, does anyone have a
3 comment?

4 Ray.

5 ADVISORY BOARD MEMBER O'BRIEN: I miss the fact
6 that there is no index. We did have an index before, and
7 it was very, very useful to locate in a very fast manner
8 citations throughout. So if we could restore that index,
9 I think that would be great.

10 Maybe this is not the appropriate time, but I
11 would like to find out what we should expect monthly
12 preparation for this meeting, and what day we can expect
13 it? As you made mention, I just received this written
14 transcript Saturday, so I did not have a chance to review
15 the entire thing.

16 CO-CHAIRPERSON MORLEY: Right. We did get our
17 RAB support contracts awarded, and that happened in
18 August. There was kind of a lag time between when we got
19 the money to do that and then negotiations and finally to
20 get that awarded. And what we're aiming for is ten
21 days -- ten working days after the meeting the transcripts
22 will be e-mailed to the Navy and the Navy will e-mail that
23 out to the regulators, the other Navy, and to the RAB.
24 We'd probably be asking for corrections within five
25 working days, which we would then e-mail back to the

1 transcript person, the shorthand person -- court reporter.
2 And then once those corrections are made, they would
3 e-mail that to the Navy, and then we would e-mail that
4 back to you. Except for people that specifically ask for
5 hard copy, I think that you will ask for a hard copy. And
6 we're trying to figure out how we can fit it on as little
7 pages as possible, but still make it readable. And I know
8 that other font was too small. So we're looking at like
9 side-by-side double-sided. Is that still four pages --

10 CO-CHAIRPERSON O'CONNELL: At one point we got
11 four pages to it -- four reduced pages on a single sheet,
12 and they came out okay. Now, the last time we saw that it
13 was very small font. And it would take a magnifying glass
14 I think for most people to do that. So I think it could
15 be done, just to save paper basically. If we could get
16 four -- I think it's doable if the font is large enough.

17 CO-CHAIRPERSON MORLEY: Okay. So that would be
18 one, would be the transcripts.

19 The second thing that we're working on but it's
20 going to take -- the problem is there's a difference
21 between RAB support money and what's called project money.
22 And project money actually comes through EFA West for a
23 certain project through Tetra Tech or whoever their
24 contractor is.

25 Right now we're -- this will probably happen in

1 '03, but you mentioned -- you called them staff reports.
2 And they have what's called a document tracking list, that
3 basically shows the status of each site, who is the person
4 in charge, what document's coming up for review and
5 proposed date.

6 And what we were going to do is take that and put
7 it in Excel so that you could sort by date and see what
8 documents are coming up for review, you know, a few months
9 ahead of time, if we have that information, so that you
10 know what's coming down the pike.

11 ADVISORY BOARD MEMBER O'BRIEN: We can't have
12 that till 2003?

13 CO-CHAIRPERSON MORLEY: Well, what we're going to
14 try to do is actually is find another contractor that
15 might take that information until they can award a
16 contract -- EFA can award a contract with '03 money to get
17 that started. Because who knows -- like last time, it was
18 a while before we got our fiscal year money because of the
19 continuing resolution and, you know, things are kind of
20 uncertain right now.

21 So we're going to try to do that. But that's
22 coming, but it's not done yet. So that's one that you'll
23 be getting every month.

24 The third thing, and we don't have this yet,
25 is -- and we're working with Weston -- that's Claudette in

1 the back -- to do information repository audit. And that
2 has all the documents. So we can add documents to the
3 information repository. That sheet will come every month.
4 And that tells you what's in the IR at the Concord
5 library.

6 And then the fourth thing would be the RPM
7 minutes. But keeping in mind that those are always going
8 to be a month behind because they have their meeting like
9 a week before this meeting. So by the time they get their
10 meeting minutes out, the RAB has already happened. So
11 you'll get in -- you just got the July minutes, right?

12 MS. CANEPA: We need the transmittal letter. So
13 we should be getting it shortly.

14 CO-CHAIRPERSON MORLEY: For September. And then
15 you'd be getting August in October, like that.

16 ADVISORY BOARD MEMBER O'BRIEN: We're talking
17 about actual minutes?

18 CO-CHAIRPERSON MORLEY: Yes, we went back to --

19 ADVISORY BOARD MEMBER O'BRIEN: I have to tell
20 you this -- I don't know what it's called, but this
21 progress or status report is of absolutely no use to me.

22 CO-CHAIRPERSON MORLEY: Is that the one that
23 looks like --

24 ADVISORY BOARD MEMBER O'BRIEN: So my personal
25 feeling -- and if someone can speak to this -- I would

1 rather not even receive that. I want the actual minutes,
2 yeah.

3 CO-CHAIRPERSON MORLEY: Okay.

4 ADVISORY BOARD MEMBER O'BRIEN: And I would even
5 prefer that we not take up time in this meeting with going
6 over that report. But I'll defer to others if they think
7 it is of importance.

8 CO-CHAIRPERSON O'CONNELL: Well, I liked the fact
9 that we got the agenda for it this time. That was very
10 useful to me to discuss. Most of the real business is
11 going on with the RPM. It's not with us anyway. That's
12 what's happening.

13 I happened to like to get the bullet items as
14 well, but they pretty much mirror the agenda. Sort of
15 like an annotated agenda, I guess. But I don't know that
16 we need to go over this a lot in the future. I think we
17 should do it tonight because we used that. But it may be
18 that we could ask questions about this.

19 Or perhaps another thing that might be done is
20 rather than have the Navy always take the lead as the RPM,
21 have the individual agencies take the lead sometimes too,
22 maybe trade off and on, because we get very different
23 perspectives. And having the first report coming from
24 U.S. EPA sometimes, they give us a different viewpoint
25 than if it always comes from the Navy, give us a little

1 balance.

2 CO-CHAIRPERSON MORLEY: So still do everybody,
3 but just switch off who goes first?

4 CO-CHAIRPERSON O'CONNELL: Yeah. I think that --
5 I know that puts more on your plate. But we've
6 consistently -- when we ask the agency, our agency project
7 managers, questions, we get a different viewpoint, and
8 it's usually very illuminating to see something from the
9 different viewpoints.

10 CO-CHAIRPERSON MORLEY: I don't -- the one thing
11 though that would be nice about them continuing to do RPM
12 update is that they've had their meeting and they can
13 bring up anything that's different or that was decided on
14 at the meeting that the agenda doesn't really explain. So
15 that you'll know that before the meeting minutes come
16 here.

17 ADVISORY BOARD MEMBER RAMSEY: And the thing -- I
18 mean I don't have any problem with the order, Marcus. We
19 just -- again. But this RAB is primarily a Navy function.
20 We come here to assist them. Kind of like to see the
21 Navy -- they have to spend the time to put all the
22 overheads together. If that suddenly becomes EPA's, we
23 can do our best to do that, but it means that we have
24 other technical jobs that we -- we generally, you know --
25 this is the Navy's entity, so it's -- they have the

1 primary responsibility to do the presentations and things
2 like that. I'm always happy to fill-in. We could rotate
3 where -- we stand up there. I always prefer that Navy --
4 since this is your program, you are the lead in the CERCLA
5 cleanup, it's really your responsibility. And the more
6 you say, that's fine, then the more we can do our job and
7 kind of stay on the side.

8 We're happy to change it and undo the lead, but I
9 think there'd be a little bit of a -- I may have some
10 concerns if the RAB is expecting like in advance a
11 presentation, which Gil has been nice enough to do. I
12 tend to come in here and just kind of give you highlights
13 of what we've been working on and kind of focus on some
14 primary issues and concerns. And, too, of course we have
15 to do that in fairly limited time frames, unless you want
16 to accommodate that better.

17 CO-CHAIRPERSON O'CONNELL: I think you have a
18 valid point. You're not responsible as an agency and you
19 shouldn't have that -- you shouldn't have that --

20 ADVISORY BOARD MEMBER RAMSEY: But I already have
21 been on RABs, I have been on -- I have been on RABs before
22 where we just trade-off and it just becomes EPA's or the
23 -- FC's or the water boards or the Navy's turn to give the
24 15-minute project manager's update.

25 CO-CHAIRPERSON O'CONNELL: Well, I'd rather see

1 you spend your time on reviewing documents than on
2 repairing --

3 ADVISORY BOARD MEMBER RAMSEY: The --

4 CO-CHAIRPERSON O'CONNELL: Let them repair it.

5 ADVISORY BOARD MEMBER RAMSEY: Right, right.

6 CO-CHAIRPERSON MORLEY: Okay. So we won't send
7 an agenda to you anymore, but you still want the meeting
8 minutes, right, Ray? But everybody else wants the agenda?

9 ADVISORY BOARD MEMBER O'BRIEN: No, there's a
10 difference of opinion.

11 CO-CHAIRPERSON O'CONNELL: Any comment from other
12 community RAB members on this?

13 CO-CHAIRPERSON MORLEY: We could just not e-mail
14 it to you if you don't think it's useful. We'll just send
15 it out to everybody else. Do you want me to do that?

16 ADVISORY BOARD MEMBER O'BRIEN: Okay.

17 ADVISORY BOARD MEMBER GRIFFITH: I'd just as soon
18 receive both.

19 CO-CHAIRPERSON MORLEY: I made a note of that.

20 Okay. With that, then we'll go into RPM updates.

21 Gil, you're first.

22 ADVISORY BOARD MEMBER RIVERA: This is the Navy's
23 remedial project manager's report for the month of August.

24 The draft final amendment to the site management
25 plan was provided as required by the Federal Facilities

1 Agreement on the 16th of August. The Remedial Project
2 Manager's meeting was held on the 27th of August. And the
3 agenda of course is attached, as I stated previously.

4 The out come from that particular meeting -- or
5 from the RPM meeting was that there would be some
6 additional meetings. In fact two of them will take place
7 tomorrow. The first meeting will be to discuss the Site
8 22 sampling and analysis plan that takes place at EPA.
9 And the following one meeting will be to discuss the site
10 management plan.

11 Also as a result of the Remedial Project
12 Manager's meeting was the tentative scheduling of the
13 meeting to discuss the Site 1 tidal area landfill Record
14 of Decision. That is slated for the week of September
15 16th. The date and the time have not been finalized yet
16 between Navy and the agencies.

17 However, you know, it definitely will include the
18 participation of counsel both for Navy and for the
19 Environmental Protection Agency.

20 Deliverable for the month of August we do have
21 the draft final sampling and analysis plan for Site 22.
22 The sampling and analysis plan is comprised of two
23 elements -- two major elements: The field sampling plan
24 and the quality assurance project plan. These
25 particular -- no site investigation, meaning field work,

1 can take place unless there is agreement between Navy and
2 the agencies on the extent and coverage of the site
3 sampling and analysis plan.

4 Reports currently under review are draft final
5 sampling and analysis plan for arsenic in the soils at
6 Site 22. As I stated previously, there will be a meeting
7 tomorrow to discuss the sampling and analysis plan at EPA,
8 and also the final ROD for Sites 13 and 17. And no action
9 RODs have been submitted to U.S. EPA, and we're awaiting
10 review of that ROD by U.S. EPA.

11 And that concludes the Navy RPM Manager's report
12 for August 2002.

13 ADVISORY BOARD MEMBER RAMSEY: Okay. I'm going
14 to fill in just a little bit for everyone. Again, I'm
15 Phil Ramsey with U.S. EPA.

16 The two major -- the major projects we're
17 involved in this month, we've been reviewing, is, as Gil
18 mentioned, the site management plan. And on the 16th of
19 August we received from them a draft final amendments.
20 This is our annual update on the schedules. That's what
21 the site management plan is. It's the schedules for all
22 the environmental work at the various projects.

23 So we are -- actually did want to mention that
24 this is a revised version. We had submitted comments back
25 in June. The Navy submitted this revision to us in

1 August. And per the Concord Federal Facilities Agreement
2 we have a month to review that. And we have indicated to
3 the Navy already that there are some changes in that
4 revised version, the draft final amendments, that we don't
5 necessarily agree with all the changes that the Navy has
6 proposed.

7 So, again, we'll be following the Federal
8 Facilities Agreement that lays out the process. And we'll
9 be meeting them tomorrow to provide some of the comments
10 informally to the Navy, and then we'll be following up
11 with a letter. And the RAB will receive that
12 communication from EPA once we finalize it, issue the
13 letter, which we anticipate by the 16th per the schedules
14 that are described in the FFA.

15 And again I just want to emphasize that there are
16 some changes that we don't necessarily agree with. And so
17 you'll just have to stay tuned to those things. You have
18 received copies of those schedules, and so they're pretty
19 much all there in the documents.

20 Regarding the Site 1 ROD. The Site 1 is a tidal
21 area landfill Record of Decision that we've been in an
22 informal dispute with the Navy on. EPA and the Navy have
23 set the end of September as the end of the informal
24 dispute resolution kind of timeframe to informally work
25 out those issues that involve this Record of Decision for,

1 again, the tidal area landfill.

2 Now, at the end of September if we have not been
3 able to informally, keeping it at staff and the low
4 manager level, been able to resolve the disagreements,
5 begin to set the September -- end of September timeframe
6 to document the outstanding issues. And then those issues
7 are elevated to higher management level for them to
8 resolve. And again we're following the Federal Facilities
9 Agreement for this dispute resolution process.

10 And we just heard from Gil that -- he's mentioned
11 it's the 16th. We just learned about that date. We have
12 to confirm things, because we do have attorneys and our
13 managers that may be involved in these discussions, and so
14 we have to verify these things. But, again, hope to get
15 this resolved by September or the formal dispute goes up
16 the ladder.

17 Regarding AOC -- Area of Concern 1, we are
18 looking at a supplemental sampling plan. This is for
19 additional soil samples that are beyond the removal action
20 that's taking place that, Mr. O'Brien, you're speaking of.
21 We plan to finalize our letter on this supplemental
22 sampling plan. And I just want to mention to the RAB that
23 the work that's being done right now is considered a
24 secondary document to U.S. EPA. We already at this point
25 have an agreement from the Navy that an RI, a remedial

1 investigation, will have to be completed for that site.
2 And so it gives us a little more flexibility in this kind
3 of secondary document. We won't be having disputes with
4 them. We're trying to get as most as we can out of the
5 sampling and raise issues about site audit information to
6 maximize the effectiveness of the sampling event.

7 But, again, we're generally supportive of the
8 Navy the work they're doing out there. We'd like to see
9 some more work done. But we'll wait to get the RI before
10 we actually, you know -- we have a final point to make a
11 decision that really we have a point to dispute. And so
12 we expect things to proceed fairly well on this
13 supplemental sampling work at AOC 1.

14 As Mr. Rivera mentioned, we're going to be having
15 a meeting tomorrow also on this Site 22, which is a
16 missile fin repair facility in the inland area. And it is
17 also considered a secondary document. We're very close to
18 having agreement on the sampling plan, and don't
19 anticipate any major problems. EPA's going to recommend
20 some movement of borings. And we want to have some
21 discussion about the geology and some conceptual site
22 model issues so they'll be able to maximize this
23 investigation, make sure they're being aware of some
24 aspects of the field before they just go out and do this.
25 We're trying to be effective as we can of getting this

1 work done and getting it done right the first time.

2 Last couple points. Site 13, 17 ROD, EPA is in
3 kind of final stages of our review on this Record of
4 Decision. Site 13 and 17, where 13 was a disposal area in
5 the -- a munitions disposal area in the inland area, and
6 17 was a maintenance repair shop for forklifts. And
7 that's a no-action Record of Decision. We are still
8 finalizing our review, having discussions with our
9 internal counsel, but do not anticipate any major, what --
10 deal breakers, essentially, coming out of this discussion.
11 So we anticipate a smooth conclusion and minimum changes
12 required, if anything, from the Navy.

13 And then, lastly, per the RABs request, last
14 month I did produce in a formal format EPA's comments that
15 were provided to the Navy electronically on the Site 1
16 Record of Decision, and make sure I provided copies I
17 think to just about everyone. But I do have copies and,
18 again, so they're available. This is again on EPA's
19 comments on the Site 1 Record of Decision.

20 And that's it. Thank you.

21 CO-CHAIRPERSON MORLEY: Jim, do you want to go
22 ahead?

23 MR. PINASCO: You know, I really have very little
24 to add to that. One of the nice aspects of this project
25 is that Phil, Laurent and myself do do a lot of

1 coordination. So we're pretty much in synch with our
2 positions at this point in time.

3 CO-CHAIRPERSON MORLEY: Okay. Thank you.
4 Laurent.

5 ADVISORY BOARD MEMBER MEILLIER: My name is
6 Laurent Meillier. I represent the Regional Water Quality
7 Control Board. And I would like to review and update on
8 the UST RPM meeting. And UST stands for underground
9 storage tank. The Navy has committed to provide to Board
10 staff the cost recovery letter for nondissimilar UST
11 districts as well as a matrix for all the UST sites that
12 are present on Navy property.

13 The Navy has recently provided to Board staff the
14 U.S. database. And they will look into staffing and
15 completing the electronic records for all the
16 nondissimilar UST which has not yet been completely
17 provided to Board staff.

18 The Navy will also update Board staff for ERM
19 phones and how they are allocated. And we also discussed
20 during the meeting the field effort that will be ongoing
21 for about six or seven UST sites using the SCAPS method,
22 the SCAPS field method which is basically a site
23 characterization analysis penetrometer -- a penetrometer
24 survey.

25 And then, finally, I also forwarded to the Navy

1 as well as to the regulatory agencies and to Mr. O'Connell
2 Board staff responses to the Navy's response to comments
3 on the time critical removal action for the Area of
4 Concern 1.

5 So this is basically my update.

6 CO-CHAIRPERSON MORLEY: Thank you.

7 Does anybody -- Ray.

8 ADVISORY BOARD MEMBER O'BRIEN: Phillip, can I
9 ask you a question?

10 Your further sampling at Area of Concern 1
11 include sampling for crude oil?

12 ADVISORY BOARD MEMBER RAMSEY: This pipeline it
13 just -- because these petroleum products are CERCLA
14 exempt, Mr. O'Brien, that EPA generally -- we'd have some
15 involvement when -- the Water Board typically has a lead
16 on these underground storage tanks and pipeline and
17 petroleum issues.

18 ADVISORY BOARD MEMBER MEILLIER: That's correct.
19 And so there is a -- actually have asked the Navy about
20 that leak. There was a pipeline leak at AOC 1, which the
21 owner was Chevron Company -- actually I think Chevron
22 corporation. And the Navy has committed that -- following
23 that field effort that we will provide to Board staff the
24 results of contamination of petroleum in the soils in the
25 area where the leak has been found. But I have not yet

1 received this statement.

2 ADVISORY BOARD MEMBER O'BRIEN: Now, there's also
3 a statement in the CERCLA that we got that said that
4 "based on analytical results in human health risk
5 assessment performed at no historic pipeline release
6 sites, governing agencies have concurred with
7 Chevron-Texaco's findings that the presence of the
8 residual weathered crude oil material does not pose an
9 unacceptable risk to human health."

10 Are all the agencies in agreement with that
11 statement?

12 ADVISORY BOARD MEMBER MEILLIER: Well, that is
13 correct that the statement was made. I have not been able
14 to locate any Board-related files that have concurred with
15 the statement that is in this, that you just cited.

16 And so, therefore, this is why I'm asking the
17 Navy to provide more research and data following this
18 field effort at the AOC 1 so that I can feel more
19 confident about this particular statement. This was
20 before I ever worked for the Board. And I was not able to
21 locate any of the data related to how that statement was
22 supported.

23 ADVISORY BOARD MEMBER O'BRIEN: Are there any
24 concerns about risks to animal or plant life?

25 ADVISORY BOARD MEMBER MEILLIER: I believe

1 that's -- I guess I don't have a lot of data -- data
2 enough to make a statement for or against that. So I
3 basically am waiting to make that assessment. I cannot
4 give you an answer to that. The Navy potentially will
5 talk about that, I'm sure.

6 ADVISORY BOARD MEMBER RIVERA: If I may offer a
7 comment.

8 Yeah, the Navy in this case is EFA West and
9 Concord. EFA West is -- we're providing support to
10 Concord by having our real estate people look at easement
11 in that particular area to see what their requirements are
12 with respect to monitoring the privately owned -- private
13 entity that owns or may own the pipe lines in that area.
14 They are private sector pipe lines. And then we're
15 working directly with Concord because we're looking for
16 that agreement or the particular report that documents the
17 agreement from the state agency -- I don't know if it's a
18 state agency -- but from the agencies that the actions and
19 the determination made is in fact accurate. So we're
20 looking to find the particular report to document that.
21 It's one of the action items that we have on the UST
22 report.

23 ADVISORY BOARD MEMBER O'BRIEN: Now, you wouldn't
24 allow the company to do the sampling, would you?

25 ADVISORY BOARD MEMBER RIVERA: We would

1 coordinate with them directly. There is a requirement --
2 there may be a requirement in the easement that the
3 company that owns the pipelines is supposed to provide
4 monitoring of the site. I don't know. I can't speak to
5 that directly because I have not seen that document.

6 ADVISORY BOARD MEMBER O'BRIEN: I have some
7 concerns about that. I think that they should have you
8 conduct the monitoring and the testing and they pay for
9 it.

10 ADVISORY BOARD MEMBER RIVERA: That's something
11 that definitely we can consider. I don't have any problem
12 taking that under consideration. I'll work together with
13 Concord and find out what we can do in that respect.
14 That's a good suggestion and we will follow-up.

15 CO-CHAIRPERSON MORLEY: Thank you, ray.

16 Does anybody else have a comment?

17 Okay. Lets go then to the discussion of new
18 meeting places. I think anyone who has come to the last
19 couple of RABs realize that this meeting room is getting
20 kind of small. And, in addition, the RAB had requested
21 new meeting places to meet within the certain communities
22 that are impacted; for example, Bay Point and Concord.

23 So Tetra Tech and myself and Dave Cooper and
24 Gregg Smith went to a bunch of different places that are
25 on the three pages of this map -- you can see we went to a

1 lot of places -- and wrote down all the information for
2 them.

3 The legend on this is that everything that is in
4 gray is not going to workout, either we can't use it, the
5 public can't use it, or they're not open on the night that
6 we have the RAB. And it has the reason listed under
7 "facility comments."

8 Some of them, they're usable but maybe not the
9 best idea. And then the ones that are in bold we think
10 are good ideas.

11 So we kind of wanted to go over that a little.
12 And maybe we can come to an agreement, like we'll try the
13 first one, which is the Willow Pass Community Center. And
14 then maybe go to the next one, which is in Pittsburg, the
15 Ambrose Community Center. And then the next one in
16 Pleasant Hill, the community center there. And maybe
17 start trying out a couple of these rooms and see what we
18 like before we make a decision.

19 ADVISORY BOARD MEMBER O'BRIEN: Theresa, this is
20 a small point, but it's a big one with those people who
21 live in Bay Point. Ambrose Community Center is in Bay
22 Point, not in Pittsburg.

23 CO-CHAIRPERSON MORLEY: Oh, the community center?
24 I'm sorry.

25 CO-CHAIRPERSON O'CONNELL: I like your

1 suggestions. Based on what I know about the meeting
2 places, they seem like the right amount -- Willow Pass may
3 be far for a few people. I think the Ambrose is a good
4 meeting place.

5 I'm not so sure about Pleasant Hill. It's pretty
6 distant from --

7 CO-CHAIRPERSON MORLEY: That's what DTSC said
8 too. So that's fine. If you want to alternate between
9 those two or check those out for first or something --

10 CO-CHAIRPERSON O'CONNELL: That would be fine by
11 me.

12 CO-CHAIRPERSON MORLEY: What about Diablo Valley
13 College? Because they just -- Carolyn went to that today,
14 right? And you said it was really nice. I don't know
15 where it is. So, I'm sorry, I --

16 ADVISORY BOARD MEMBER O'BRIEN: We have to pay
17 for parking there.

18 MS. HUNTER: No.

19 ADVISORY BOARD MEMBER O'BRIEN: No?

20 MS. HUNTER: Not in the evening. I can double
21 check on that. But I asked her if there's plenty of
22 parking. She didn't say anything about paid parking. And
23 on the sheet that she gave me, there's nothing about that.
24 So -- and it's a safe environment. And we're waiting to
25 hear back.

1 The students have a community area, their -- in
2 their student union. It's kind of a conference room. And
3 they said that it would be really great for our group. So
4 that might be a suggestion. But it is in Pleasant Hill.

5 CO-CHAIRPERSON O'CONNELL: Is that in bold?

6 MS. CANEPA: Yes, the last page.

7 CO-CHAIRPERSON MORLEY: Just the space we
8 evaluated -- is on that -- she just went out there today.
9 It's underneath the recreation center in Pleasant Hill.

10 ADVISORY BOARD MEMBER O'BRIEN: Did I read
11 somewhere where it might -- it was suggested that maybe we
12 do a block of meetings in one place and then move?

13 CO-CHAIRPERSON MORLEY: Yes.

14 ADVISORY BOARD MEMBER O'BRIEN: What's the
15 feeling about that?

16 CO-CHAIRPERSON MORLEY: Well, I was going to ask
17 the RAB members. Some people said, well, it'll be hard to
18 tell people where it's going to be. They won't be able to
19 remember. But maybe if we stay like three or four months
20 at one place, then move for three or four months at
21 another, so it's not moving every time. And plus they get
22 the agenda. As long as we could make it in color on the
23 agenda or bolded so that people realize that it stands
24 out, that they'll probably remember. And of course we'll
25 discuss that before we end this RAB, "Okay, remember, our

1 next time we're moving to the Ambrose Community Center" or
2 something.

3 So -- but it's up to you guys, if you want to
4 stay at one or rotate. I think, you know -- David Cooper
5 from EPA brought up that it's nice because then you kind
6 of go to the different communities that are next to the
7 base instead of just staying at one place. And it kind of
8 gives maybe the people that wouldn't come from Bay Point
9 because it -- they didn't want to come out here or
10 something, they might come after work. So if anyone -- if
11 you think that's the right idea.

12 Do you guys want to try then, if we're able to,
13 start with Willow Pass? Because some of them need 30-day
14 agreements, so I'm not sure we can do it in time for the
15 October RAB. But if we can do that, does anyone have
16 objections with starting at the Willow Pass next in
17 October?

18 ADVISORY BOARD MEMBER FREITAS: Are you talking
19 about Bay Point or Concord?

20 CO-CHAIRPERSON MORLEY: Concord, Willow Pass.
21 We'll just go down the list and start with those, if
22 that's okay.

23 MS. HUNTER: Maybe we should start at Bay Point.
24 Because, remember, the Willow Pass Center it was still
25 doing renovations and it wouldn't be available till

1 November.

2 CO-CHAIRPERSON MORLEY: Oh, you're right, you're
3 right. I'm sorry. That's right. I'm sorry.

4 So if we can start at the Ambrose Community
5 Center at Bay Point. And we will let you know in plenty
6 of time before the next RAB if we can get that one
7 reserved. If not, it will be Clyde in October and then
8 Bay Point in November.

9 Does anybody want to have discussion on that
10 or --

11 ADVISORY BOARD MEMBER O'BRIEN: Well, I like the
12 idea of doing a block of meetings, then moving on to
13 another one. I don't know how others feel.

14 CO-CHAIRPERSON MORLEY: Three or four months
15 or --

16 ADVISORY BOARD MEMBER O'BRIEN: Yeah, several.

17 CO-CHAIRPERSON MORLEY: Okay. All right.

18 Okay. Our next presentation is on the discussion
19 of the TAPP grant process. And I think you all know that
20 the TAPP was approved by C&O. So this presentation is
21 what's next.

22 Gil, take it away.

23 (Thereupon an overhead presentation was
24 presented as follows.)

25 ADVISORY BOARD MEMBER RIVERA: Now, I was just

1 looking at the handouts, and there's a couple of slides
2 missing. If you all got the same handout I did -- it
3 doesn't have that slide, for instance. That's almost
4 irrelevant. But there's another slide after that. Also,
5 the -- I apologize for the quality of the last 2 pages in
6 the handout, the definitions. We'll have to provide those
7 in full size so they are more legible. I don't know if
8 anybody has a problem with that.

9 I'm going to ask you to do a quick update on the
10 TAPP status -- the status of the execution of the TAPP
11 program funding.

12 Next slide please.

13 --o0o--

14 ADVISORY BOARD MEMBER RIVERA: The application
15 submitted by the Restoration Advisory Board has been
16 approved by Navy headquarters. What does approval mean?
17 In essence, approval means that Navy has agreed to -- that
18 the proposal submitted by the RAB is in fact eligible for
19 funding. And based on the availability of funds, the Navy
20 will pursue the acquisition of the services requested by
21 the Restoration Advisory Board.

22 CO-CHAIRPERSON O'CONNELL: Before you go any
23 further, what's that mean, depending upon the availability
24 of funds? What are the chances of not getting funds?

25 ADVISORY BOARD MEMBER RIVERA: As you recall --

1 and I'm actually speaking somewhat into the Bullet Number
2 2.

3 The availability of funds are -- refers to the
4 fact that all funding is tied to a particular fiscal year.
5 When we receive the request -- the notice of need and the
6 request for the RAB for the TAPP funding, it was middle of
7 the fiscal year. Nothing was programmed for TAPP. So
8 what we have done is taken the action to proceed and
9 program the funding as soon as possible. And in this case
10 that is fiscal year 2003.

11 The appropriation for fiscal year 2003 is
12 supposed to come to the activity of Naval Weapons Station
13 Concord and to EFA West sometime in the November
14 timeframe. I don't know if that will happen based on the
15 fact that the ERN funds which fund TAPP come out of the
16 defense budget. Just a reminder that the defense budget
17 may be called on to do other things given the current
18 status of things in the world.

19 I hate to refer to something that lofty, but that
20 is the actual situation. If funds are needed elsewhere,
21 our funds will be cut accordingly. All funds will not be
22 cut unless things get very serious. So we'll have to look
23 at the projects and so forth that we're going to fund and
24 move on from there.

25 But for the present time we have received no

1 direction, no indication that funds will vary from any
2 previous allocation of funds. Although last year it was
3 an anomaly. We actually didn't get the funding till
4 March, which kind of made things difficult for us. But as
5 far as I can tell right now, we have received no
6 indicators that the funds will not be there for the TAPP.

7 Again, the funding for TAPP is allocated to the
8 installation and under the broad heading of Program
9 Administration, which also funds the support for the RAB
10 and the various, you know, items that will go into RAB
11 support.

12 --o0o--

13 ADVISORY BOARD MEMBER RIVERA: Just one final
14 bullet there. The FY '03 budget has not been approved by
15 Congress. So we're waiting like everyone else, the DOD
16 and all the other -- see what happens with the budget for
17 Fiscal Year 2003.

18 --o0o--

19 ADVISORY BOARD MEMBER RIVERA: Upon release of
20 funds for 2003, the installation contracting officer will
21 be empowered to proceed with the acquisition.

22 CO-CHAIRPERSON O'CONNELL: Who is that?

23 ADVISORY BOARD MEMBER RIVERA: The installation
24 contracting officer comes through Mr. David Baillie, and
25 he has to work with other entity and -- at Seal Beach. I

1 don't know who that is off the --

2 CO-CHAIRPERSON MORLEY: It's usually -- they're
3 called a fleet industrial supply center. The base doesn't
4 have contracting authority, so -- and FISC is an
5 abbreviation of that -- would probably be who awards the
6 contract.

7 CO-CHAIRPERSON O'CONNELL: Okay.

8 ADVISORY BOARD MEMBER RIVERA: The contracting
9 officer will follow the purchase order rules and
10 regulations. Those are governed by what's called the FAR,
11 which you will probably hear on and off throughout the
12 various presentations. They stand for the Federal
13 Acquisition Regulations, which is subset, if you will, of
14 the Code of Federal Regulations. These regulations govern
15 every step with respect to the acquisition of any product
16 or service that the Navy or any other federal facility
17 enters into.

18 One of the primary concerns of the installation
19 contracting officer is that the qualifications of the
20 proposed providers will be looked at carefully. In other
21 words, very basically, the provider has to have experience
22 in the field, has to be able to review documents, convert
23 those documents to, if you want to call it, explanations
24 that can be understood by the lay person. They have
25 previous experience in reviewing and writing reports and

1 things of that nature.

2 One other major element that's covered is the
3 conflict of interest. If you look into the definitions
4 that are at the end of this handout, you will see the
5 conflict of interest covers just about everything you
6 could think of; not only past, present, but also future
7 potential relationships between the service provider and
8 any of the members of the RAB and the Navy and so on. So
9 that's looked at very closely.

10 One thing that's worthy of mention there with
11 respect to conflict of interest: Any contractor doing
12 remedial work for the federal government, state
13 government, or any other entity at Concord is not allowed
14 to do RABs work -- TAPP work for the RAB.

15 CO-CHAIRPERSON O'CONNELL: At Concord?

16 ADVISORY BOARD MEMBER RIVERA: At Concord.

17 The purchase order rules and regulations also
18 require that the competitive bids be sought from the
19 selective providers. Meaning that the Navy will put out a
20 scope of work and request proposals from their various
21 providers. And based on those proposals, the Navy will
22 essentially make a determination on who the selected
23 service provider will be.

24 Now, the coordination between the Navy
25 contracting officer and the RAB goes through the Navy RAB

1 Co-Chair. We provide -- We, the EFA West, will provide
2 technical support as needed to the Navy RAB Co-Chair.
3 We'll work together on that.

4 But the point of contact for the RAB for the TAPP
5 service provider will be the RAB -- Navy RAB Co-Chair.

6 --o0o--

7 ADVISORY BOARD MEMBER RIVERA: Just a brief
8 summary on what the Navy RAB Co-Chair's required to do
9 with respect to TAPP execution.

10 The Navy RAB Co-Chair has to act as the COTR.
11 That's an acronym that stands for contracting officer's
12 technical representative. It's a function that's required
13 by Navy where this one person gives direction to the
14 service provider; in this case in the form of task orders.
15 Once again, the COTR is in fact the RAB Co-Chair and
16 coordinates directly with the RAB to communicate with
17 respect to direction given to the service provider.

18 The RAB Co-Chair will have more duties than she
19 currently has. But there are reporting requirements for
20 the TAPP: Summary of funds, reports, statement of overall
21 satisfaction to uphold the RAB. They're also looking for
22 deliverables, the schedule, the quality, did the RAB --
23 did the TAPP service provider provide what was expected by
24 the RAB.

25 Finally, reporting of the chain -- down the chain

1 as well to CNO and other higher people.

2 So what I've done also is prepare a TAPP process
3 steps chart. That's part of the handout. It's
4 essentially a summary of the slides I have provided. And
5 I've gone down and checked off those steps where we are
6 now.

7 So we'll continue to keep you updated with
8 respect to the progress of the TAPP using primarily the
9 chart. But we'll also provide more explanation, if you
10 desire, with respect to the contracting process. In that
11 case we'll have to consult with the contracting officer
12 for -- to give you the detailed formation if you need
13 that.

14 The information on contracts is very specific.
15 These people hold contracting warrants. And we as
16 engineers are not allowed to speak to those elements
17 because obviously we don't hold the warrants. But like I
18 said, that information is available. And given some time,
19 we can provide the information that you require.

20 CO-CHAIRPERSON MORLEY: Thanks, Gil.

21 Does anybody have any questions on that?

22 CO-CHAIRPERSON O'CONNELL: What about us,
23 community RAB members? We're supposed to have some
24 control over what this is for, et cetera, and some
25 say-so -- community RABs have some say-so on the

1 consultants --

2 ADVISORY BOARD MEMBER RIVERA: That's correct.

3 CO-CHAIRPERSON O'CONNELL: -- and stuff like
4 that? Nothing that has been said involves us. This is
5 our -- I feel -- I say it's ours, it's our grant, so to
6 speak. And it seems like everything's out of our hands.

7 ADVISORY BOARD MEMBER RIVERA: I'm sorry if I
8 omitted that. Prior to the selection of any contractors
9 for the TAPP support, the RAB will be consulted. You will
10 have input as to --

11 CO-CHAIRPERSON O'CONNELL: We'll be consulted?
12 We have no say-so?

13 ADVISORY BOARD MEMBER RIVERA: Well, yes.

14 CO-CHAIRPERSON O'CONNELL: We'll be consulted.
15 We have about as much say-so as we have on anything else
16 here, I guess.

17 CO-CHAIRPERSON MORLEY: Well, I think -- Gil,
18 correct me if I'm wrong -- but you actually provide us
19 with the three people that are supposed to be competing
20 for this, right?

21 ADVISORY BOARD MEMBER RIVERA: Right. You've
22 already given us those -- that one or two service
23 providers. They're already on the list. As far as
24 selection, you will have input to that.

25 ADVISORY BOARD MEMBER O'BRIEN: The selection

1 will be from those three?

2 CO-CHAIRPERSON MORLEY: Yes. It has to be at
3 least three. So if you've only given us two, we would ask
4 you to give us another contractor because the regulations
5 do require at least three.

6 CO-CHAIRPERSON O'CONNELL: Okay. The form only
7 asked us for two.

8 CO-CHAIRPERSON MORLEY: I'm sorry. Then that
9 needs to be redone.
10 The scope of work for that contractor will be
11 what you outlined in the packet.

12 CO-CHAIRPERSON O'CONNELL: Okay. Are you sure?

13 CO-CHAIRPERSON MORLEY: I'm positive.

14 ADVISORY BOARD MEMBER RIVERA: Yeah, the
15 generation of the scope of work will be drafted out by the
16 contracting officer. And the RAB Co-Chair will provide
17 assistance. We'll provide it to you then. That will
18 be the -- the root document will move out from here.

19 CO-CHAIRPERSON O'CONNELL: Will we be able to
20 review the scope of work before it goes out?

21 ADVISORY BOARD MEMBER RIVERA: Yes.

22 CO-CHAIRPERSON O'CONNELL: That's a promise?
23 We've heard this before.

24 ADVISORY BOARD MEMBER RIVERA: Absolutely. No,
25 this is the -- part of the TAPP process. This is a

1 requirement. It's written into the requirement.

2 CO-CHAIRPERSON O'CONNELL: Okay.

3 CO-CHAIRPERSON MORLEY: Does anybody have else
4 have questions on that?

5 And, we'll let you know as soon as we hear
6 anything '03 budget. Right now, you know, we don't know
7 when that's going to be signed by Congress.

8 ADVISORY BOARD MEMBER RAMSEY: Theresa?

9 CO-CHAIRPERSON MORLEY: Yes, Phil.

10 ADVISORY BOARD MEMBER RAMSEY: I just want to add
11 also, Marcus, that one thing I was going to suggest,
12 because you have had a relatively -- it's a relatively
13 limited amount of time for this contractor, whoever he'll
14 be, to do the work. One thing we're going to suggest is
15 to have some kind of meeting to -- and it's kind of --
16 again, this is a, you know, if you would prefer something
17 you want to do, one way we thought as a means to maximize,
18 make sure this, you know, person's more or less doing the
19 right thing with the amount of resources they have, is to
20 have some kind of informal meeting and have -- between the
21 regulators to kind of -- and the Navy to bring this
22 contractor, whoever it is, a little bit up to speed,
23 meaning here's a kind of a history of the site and the
24 kind of documents and things. Again, if you don't prefer
25 to do that, that would be fine. But --

1 CO-CHAIRPERSON O'CONNELL: With the contract
2 person, to bring him up to speed?

3 ADVISORY BOARD MEMBER RAMSEY: I mean just to
4 kind of sit down and have a discussion about what is the
5 site and what's the history and all this kind of
6 confirmation of what exactly they're expected to do or
7 something to, I think, get it clear --

8 CO-CHAIRPERSON O'CONNELL: All the prospective
9 contractors? We have three prospects out there. You mean
10 we have a meeting with all three of them?

11 ADVISORY BOARD MEMBER RAMSEY: No, no. I think
12 it would be once they go through this bidding process of
13 what -- generally you would work with the Navy. And we'd
14 be happy to help you. But I think you'd work with the
15 Navy to agree on what the scope is of this contract, say,
16 to review documents on the site of one landfill.

17 ADVISORY BOARD MEMBER BAILLIE: Sounds like
18 you're talking on suggesting a kick-off meeting basically?

19 ADVISORY BOARD MEMBER RAMSEY: Some kind of
20 Kick-off meeting to kind of -- to try to bring them up to
21 speed. Again, if it's -- say you have some 40 or 80 hours
22 to review all these documents, it may be of some benefit
23 to have this person say -- having the opportunity to have
24 the regulators there to tell them, these are the -- here's
25 the history and here's the issues, here are the kind of

1 documents that are really going to be key I think to do
2 the review. You know, we'd be willing to do that if that
3 suits you.

4 CO-CHAIRPERSON O'CONNELL: My experience with bid
5 documents is limited pretty much to the City of Concord
6 and Contra Costa County. And they involved -- pretty big
7 meetings with all the contractors, so they go over the
8 specs of the scope of service, you might call it. But
9 that's -- the type of information you're talking about is
10 exactly the type of information that you give those
11 contractors so that they can bid. They need that
12 information really before they can even bid on it. They
13 can't -- it's pretty difficult with the limited amount of
14 information put in for them to do a bid.

15 ADVISORY BOARD MEMBER RAMSEY: All right. I'm
16 not sure though if we would be having those kind of
17 meetings. And at this point -- sometimes the
18 contractors -- yeah, and maybe the Navy's called on, you
19 know, if they want to have that kind of meeting or have
20 the agencies there. We just thought when they finally go
21 through this whole contract process to elect the right
22 person that has a reasonable bid and then gets elected, we
23 could sit down and talk to them about here's kind of the
24 history. It may be for the competitive bidding maybe --
25 I'm not sure if we do that or not. There is lots of

1 contract laws. And so if the Navy researches it, we'd be
2 willing to help.

3 CO-CHAIRPERSON MORLEY: I think what Marcus -- if
4 what you're trying to say is that they're probably going
5 to be going out to the information repository and
6 reviewing all that stuff before they do the bid so they
7 know how many hours to put down and --

8 CO-CHAIRPERSON O'CONNELL: Well, They need to be
9 told they -- you know, they'll have -- they may have
10 questions. I don't -- Dave, you've been through the
11 pre-bid meetings, I'm sure, with the City of Concord?

12 ADVISORY BOARD MEMBER GRIFFITH: A little bit.
13 Usually the scope of work goes out first. Then they do a
14 pre-bid meeting, a kind of review of the entire project.
15 And that gives them guidance on the scope of work,
16 detailed scope for the individual bidders. But I don't
17 how the Navy does it.

18 ADVISORY BOARD MEMBER RIVERA: Yeah, for the
19 major contracts we do that. And there's -- you know, it's
20 advertised in the Commerce Business daily. Bid proposals
21 are solicited and so forth. And there is a pre-bidders
22 conference, you know, accepting -- responding to written
23 request for information and so on.

24 With this particular type of acquisition, I can't
25 answer that directly. I think the best thing to do is for

1 us maybe to talk to the contracting officer to see what
2 their requirements are.

3 CO-CHAIRPERSON MORLEY: And you have to be
4 careful at what you tell the contractor that might lead
5 them to assume that they have a contract, because they
6 might sue you later if they don't get it. So you have to
7 be very careful what you say to them and what you tell
8 them before it's awarded.

9 Now, if you're saying after it's awarded if we
10 have a kick-off meeting with regulators there, that could
11 be fine.

12 CO-CHAIRPERSON O'CONNELL: Well, I don't know
13 what the -- we've heard a little bit about what the City
14 of Concord might do and some of the local jurisdictions
15 do. We go through a similar process.

16 Does that sound like what the Navy does?

17 ADVISORY BOARD MEMBER BAILLIE: I mean I think
18 what we should do is take a -- let's get the scope, going
19 back and forth a little bit, and then we could also look
20 into what the options might be in terms of doing something
21 like that. And, again, I'm not sure -- you can, you know,
22 do something where you had like a bid-lock or something
23 like that and it's -- you know, maybe like an hour
24 meeting. But you have to have all three contractors or
25 whomever is bidding -- you have all the bidders there

1 together basically so everyone has an equal opportunity to
2 get exactly the same information to formulate their bid.

3 But then I think after you make the selection,
4 what Phillip is suggesting is that -- is offering is maybe
5 a little bit more time than just an hour to actually, you
6 know, help whomever the selected consultant is to just
7 sift through all the background and everything so they can
8 kind of hit the job running rather than wasting a lot of
9 time wading through all the historical documents. And,
10 you know, we'd be open to that too if that's something
11 that you wanted to take advantage of.

12 CO-CHAIRPERSON O'CONNELL: There's another
13 complicating factor; and, that is, that the local reuse
14 association, which is a totally separate nonprofit group,
15 has received an EPA grant for \$50,000 to study essentially
16 the same sites. And we don't want to have a duplication
17 of effort between those two. I mean that has to be a
18 waste of federal money to duplicate this effort. So they
19 should be coordinated in a way. And I know that's an
20 issue with the EPA, that I've heard from David -- David
21 Cooper's explained -- brought that to us.

22 David is out for the rest of the month. But we
23 would probably want him on board here too, explain how
24 this works and how we can make this work without getting
25 into legal problems.

1 CO-CHAIRPERSON MORLEY: Okay.

2 CO-CHAIRPERSON O'CONNELL: I will get you a third
3 contractor that's just been recommended. And actually
4 it's a contractor that does work at Moffitt Field. So --
5 and I guess at that --

6 ADVISORY BOARD MEMBER RYAN: I have a question.

7 Did that TAG grant go to LRA or to the RAB?

8 CO-CHAIRPERSON O'CONNELL: The TAPP goes to the
9 RAB. The TAG grant goes to the LRA.

10 ADVISORY BOARD MEMBER RYAN: It does?

11 CO-CHAIRPERSON O'CONNELL: Yeah. RAB cannot get
12 a TAG grant we're automatically eliminated.

13 ADVISORY BOARD MEMBER RAMSEY: We're not sure who
14 the nonprofit organization was that picked that --

15 CO-CHAIRPERSON O'CONNELL: There's a separate
16 nonprofit corporation that's been established.

17 CO-CHAIRPERSON MORLEY: Okay. Thank you.

18 Does anybody else have questions or comments on
19 the TAPP process?

20 Okay. Last topic is the community relations
21 plan. And we were hoping that to try to get back on
22 schedule we'd kind of delay that for a couple months
23 because there was a lot of stuff that the RAB is
24 reviewing. But we'd like to get back on track with that.
25 And so we're asking that if by the next RAB, which is

1 October 7, if you can provide to us suggested interviews
2 for the CRP. And, Mary Lou, you gave us a couple here.

3 If anybody else has suggested interviews that you
4 want or if you have comments on the interview questions or
5 the -- I know you're going to do the Mare Island CRP,
6 which is about the format we'll be following. But if you
7 have suggestions to that format, if you could please
8 provide that to us by the October RAB.

9 And in your handout you have this little thing
10 with the checkmarks on it. And basically what this is is
11 the kind of groups that we're aiming for in our interview
12 list, which is more or less about 30, but it's not limited
13 to that. So there is -- Ray.

14 ADVISORY BOARD MEMBER O'BRIEN: Theresa, again, I
15 do not like Bay Point being coupled with Pittsburg. It
16 needs to be separated out.

17 CO-CHAIRPERSON MORLEY: Just put Pittsburgh, out
18 of the city.

19 I'm sorry. We'll separate that out.

20 ADVISORY BOARD MEMBER O'BRIEN: We may hire you
21 to do Bay Point's PR.

22 CO-CHAIRPERSON MORLEY: And so if I -- we could
23 kind of get going on that. And I know that you guys do
24 have comments. So if we could get those for the next RAB,
25 that give you 30 days, and that would help.

1 But does anybody have comments on that?

2 CO-CHAIRPERSON O'CONNELL: I sort of have a
3 comment on it. We had a -- one member resign, as you
4 know, at the last meeting. And part of -- during his
5 resignation speech he presented the public relations plan
6 for the Naval Weapons Station dating back to 1960's. And
7 that caused me to go out and do quite a bit of research
8 from there about -- as you know, we'd already gotten quite
9 a bit of research about the -- we've read about the
10 Department of Toxic Substances community involvement, and
11 we've read the EPA's community involvement guidelines,
12 whatever the official names of documents are, give you the
13 best picture. Even read the Navy's stuff. And we read
14 the brainstorm done, a lot of stuff like that.

15 Following Dean's little speech and looking at
16 that, it caused me to go out and take a look, to do some
17 research. And I found that the genesis of the Restoration
18 Advisory Board was something called Citizens Advisory
19 Board, individually put forward by chemical companies, in
20 particular, Dow Chemical and Union Carbide. And they were
21 basically put forward to gain community support for the
22 efforts of whatever they may have been of those chemical
23 companies. Think they were actually adopted by the
24 American Chemical -- Chemical Manufacturers Association,
25 but I'm not quite sure what the title is.

1 And then we have the RAB, which is essentially
2 the same thing. And what I believe after reading all this
3 material, the site management plan that's is an effort to
4 get a constituency for the Navy's cleanup.

5 I don't think -- I think there's a difference
6 between propaganda and education. This site management
7 plan is propaganda. It very clearly lays in that -- this
8 is my opinion, but it's well researched. I've done a lot
9 of research on this. It very clearly falls in the line of
10 propaganda. The interviewees, they're trying to get gain
11 a constituency for the way you're doing things.

12 And I thought what was particularly interesting,
13 so I went out -- something that really struck home to me,
14 so I went out and I found a book, "Toxic Sludge is Good
15 For You." It's a history of public relations. And that's
16 exactly what's being done here. Toxic sludge we're being
17 told is good for us. What we have here is something
18 called linguistic detoxification, which means that
19 basically through the use of language we're doing cleanup
20 here. Set the standards that -- saying, "Okay, that
21 standard hits cleanup beyond that," or "We'll change the
22 name of it and it will sound good," that type of thing.
23 That's not cleaning. There's no cleanup happening here.
24 There's so many situations where it's -- I'm going to say
25 from this point I'm not going to participate in the site

1 management plan or make recommendations at all. I
2 personally won't be --

3 CO-CHAIRPERSON MORLEY: I'm sorry, Marcus. Do
4 you mean the community relations plan?

5 CO-CHAIRPERSON O'CONNELL: I will not make input
6 into this site management, community relations plan, none
7 at all. I won't be part of it, because it's a sham
8 compared to what I -- what I think it should be, which is
9 a sincere effort to reach out to the community and involve
10 the community. It's not that.

11 And I just won't participate in any of the plans.
12 And that's where I stand. So I want to make that
13 statement. So don't expect anything at least from this
14 member.

15 CO-CHAIRPERSON MORLEY: I'm sorry to hear you say
16 that. Are you sure that you don't want to have
17 discussions about what you would like to see in the
18 community --

19 CO-CHAIRPERSON O'CONNELL: I will listen to other
20 people -- I may chime in. But I certainly don't plan to
21 participate or contribute to what I think that -- I've
22 already made my points. I've made my points for months.
23 They were ignored consistently. I wanted to be part -- I
24 asked and other members asked to be part of the scope of
25 services for the site management plan. That was denied

1 us. We did not have right -- we were not party to the
2 scope -- participate, to put on our plate.

3 It's pretty much been -- we've made
4 recommendations. It's not listened to. Now, you know --
5 certainly our suggestions are solicited. But are they
6 acted on? I don't see that happening.

7 As I say, I see this purely propaganda, purely,
8 purely an effort to convince the community that the Navy's
9 doing the right thing; instead of informing the community
10 about the situation out here and asking for them to
11 participate in a plan to correct the situation.

12 The Navy -- the military is the biggest toxic
13 polluter in the United States. It's in the world -- it's
14 the biggest toxic polluter in the world. And we're just
15 basically being steamrolled and snowed here with that.

16 That's my opinion.

17 CO-CHAIRPERSON MORLEY: Thank you.

18 Does anybody else want to comment on that?

19 ADVISORY BOARD MEMBER RAMSEY: Well, I guess I'm
20 kind of unclear though, Marcus. I mean maybe we can have
21 a little discussion here. I can understand your comments,
22 I guess, on the community relations plan. And that's kind
23 of between some of the history of the Navy, I guess.

24 I don't understand though -- to me though your
25 comments are like suggesting that the CERCLA, that's a

1 Superfund cleanup program and how we're going through all
2 that, that that would also be within the same realm of
3 your characterizations.

4 CO-CHAIRPERSON O'CONNELL: Linguistic
5 detoxification.

6 ADVISORY BOARD MEMBER RAMSEY: And the fact that
7 sometimes the idea that, you know, restoration doesn't
8 always mean, you know, taking everything back to some
9 pristine level. I mean we understand the public has those
10 concerns and would like to see things done to the greatest
11 extent possible. But you just have to understand that
12 Superfund is a very, you know, detailed, identified, laid
13 out program.

14 Here I'm a U.S. EPA representative doing my best
15 to ensure that the Navy follows that law. And we're not
16 here to create a new law, and we have to implement the law
17 as it's been laid out by the Legislature and presidents
18 who created Superfund. And not always of course -- must
19 understand that always we can't -- you can't cleanup
20 everything to where there's nothing there. That not the
21 Superfund programs. We have to evaluate risk ranges. And
22 there's science behind all this stuff.

23 So I'm not sure if your implications and your --
24 your comments about the community relations plan to me are
25 expanded to how we're doing this entire, you know, cleanup

1 work. Sometimes cleanup work involves putting up a fence
2 or saying that, you know, there's other controls put in
3 place. It's not always you dig up everything.

4 CO-CHAIRPERSON O'CONNELL: Maybe, Phillip, we
5 shouldn't expand the discussions to such a broad areas as
6 the CERCLA and its entirety. I really would like to find
7 the comments I made to make sure that you understand
8 they're confined to the site and community relations plan.
9 And let's not go into the entire CERCLA process.

10 ADVISORY BOARD MEMBER RAMSEY: Well, that's
11 why -- I want to make sure I heard you because I heard --
12 I mean I was thinking -- I was listening to your comments,
13 implying that not the site management, just, you know, the
14 way the clean up -- it's all a sham or something and we're
15 not -- the regulators are not doing our jobs.

16 ADVISORY BOARD MEMBER BAILLIE: And I appreciate
17 that, Marcus, because obviously there's a difference of
18 perspective. You know, you've shared your perspective.

19 See, now I feel that we're generally trying to
20 get community input and trying to get that worked into the
21 cleanup process.

22 I think that -- Phillip brings up a good point.
23 But I think that that's something that I think is worthy
24 of a discussion at a different point in time.

25 What I'd like to hear is if -- you know, if

1 Raymond or Evelyn and Mary Lou or anyone in the audience
2 has any, you know, concrete input or any kind of input
3 that you'd like to offer in terms of, you know, who should
4 we be interviewing, what communities should we be seeking,
5 what are the types of concerns that need to be addressed
6 in the community relations plan, you know, how do we do a
7 better job getting the community involved in looking at
8 the cleanup program and addressing the issues that we need
9 to face, you know, that we're -- regarding what any
10 contamination that we have, we need to address the issues.

11 So if we can -- I don't know if we want to go
12 around the room, kind of like that, or maybe nobody has
13 any comments at this point and we just say, you know, call
14 us up, give us e-mail, give us, you know, any kind of
15 input over the next month or so is a really, really good
16 time to do that, because we're at a juncture where we're
17 going to be going out and spending an hour or longer with
18 individuals, interviewing them, share the interview
19 questions and so on. So --

20 ADVISORY BOARD MEMBER RYAN: I'd like to say --
21 I'm Patricia Ryan with DTSC. And from a regulatory point
22 of view -- I've worked on several community involvement
23 plan updates over the past couple years. And my job is to
24 work with the Navy, the Air Force, the Army or whomever,
25 to ensure that it is a nonbias type of document to the

1 best of our ability. And that is why either David Cooper
2 with EPA or myself would be attending every interview, or
3 the interview doesn't happen. The Navy just doesn't go
4 out and do the interviews on their own. There's always a
5 regulatory presence there as well so the person being
6 interviewed can be assured that it's not just going to be
7 said to the Navy and then they will take it from there.
8 So there's more involvement than that.

9 And we also are involved in the drafting of the
10 document, the initial review of the document, and do our
11 best within the time and resources available to try to
12 make it as nonbias as possible, not -- and definitely have
13 often butt heads with the military on how things are
14 worded, and to try to keep them nonbias and correct.
15 Because that has happened in the past where things
16 sometimes seem very slanted. And they have usually been
17 very cooperative about changing it.

18 And then the RABs have been very involved as
19 well, like at Mare Island. And I'm sure that Mirna, who's
20 Co-Chair at Mare Island would come over here any time we
21 asked her and give an overview of the community
22 involvement plan update that we went through at Mare
23 Island. And the RAB was very involved there from the
24 beginning to the end, and they were very helpful and they
25 were very instrumental in the success of the document.

1 And there's always room for improvement.

2 And that's why each time we use each one to build
3 upon the other. And hopefully they'll continue to get
4 better. But they're not meant as a marketing device.
5 They're meant as a device to give to people to say,
6 "Here's what's going on here and here's how you can become
7 involved." And if there's any questions, it's who you can
8 call, the numbers and names of everyone, all the
9 regulators, and an overview of the sites and the history.

10 And that's what it is. It's not meant to be any
11 kind of marketing device per se.

12 Does anybody have any --

13 ADVISORY BOARD MEMBER FREITAS: I've done a lot
14 of work on this in the last year. And so as much as I
15 respect all the work that's been put into this, I do have
16 to say that I feel like the public itself has not had much
17 of a chance to have input on a lot of these different
18 reviews. And I myself blocked -- my husband and I walked
19 Shore Acres and some of the areas right in the tidal area
20 and heard some really sad stories of health problems and
21 water problems and different things. And I'd like to
22 spend a week out there just documenting the people that I
23 talked to there.

24 So I have to agree on this point, that I feel
25 like -- I know everybody's trying to work together and

1 make this work and to be the best it can be. But on the
2 other hand I think the documents and the RODs and these
3 other things are going so quickly, that this is almost
4 like putting the horse before the cart, because now we're
5 going back and asking for the community's input when a lot
6 of this stuff has already been -- you know, the final RODs
7 are going in or documentation is already being, you know,
8 finalized, and people haven't really had a chance to give
9 their input on this or to say what the problems are in
10 their community.

11 And that's something I had said at the very
12 beginning. I kind of felt like we needed to get out there
13 and talk to people and try and reach out before all these
14 documents were -- that's why I thought at the beginning we
15 needed to stop everything for a short period of time so
16 that we could get out there to the public and get more
17 interest generated and more public opinion.

18 So I don't know if there's anything we can do at
19 this point or not. It's just, you know -- you do
20 understand what I'm saying?

21 ADVISORY BOARD MEMBER RYAN: Sure. Well, many
22 times we've offered -- I know for months I've asked the
23 RAP to give us a list of names of -- and they can be names
24 of the people that you're suggesting that you spoke with.
25 It doesn't have to be elected officials. It can be the

1 people that you're talking about. If they would agree,
2 they want to interviewed, they can be on that list.

3 And so far we haven't gotten a list or any
4 written comments on how we can make the document better.
5 A lot of criticism verbally, but I haven't heard any
6 constructive criticism on what we should do make it
7 better. And that's what I'd like to hear, because I would
8 love to hear that. And --

9 CO-CHAIRPERSON MORLEY: Well, we heard one -- and
10 we are implementing something that you suggested, which is
11 having POCs that are responsible. And that is something
12 that is going to be in the final plan, who's responsible
13 for what, what's their they're name, so that you know who
14 to go to find out when something's going to be done and
15 how it's going to be done. So that was a suggestion that
16 you made that we're going to put in there.

17 But Evelyn is -- in response to your comment,
18 you're right maybe for the tidal area landfill. It might
19 be too late for new people, but that still doesn't
20 discount what the RAB so far has made comments on, the
21 sites. But there are still more sites at Concord, you
22 know, the base isn't done, so it still makes sense to go
23 out and try to get the community involved.

24 ADVISORY BOARD MEMBER FREITAS: Well, I'm not
25 saying -- that isn't what I'm saying. It's just that I'm

1 saying I wish that this had been done -- implemented more
2 at the beginning, so that, you know, we could have had
3 more people have an interest in this and then a say on
4 these documents, you know, that are being passed and --
5 you know, like the finalizing of the ROD for 13 and 17,
6 that was one of my pets anyway. And, you know, so I have
7 kind of a feel for that one, and feel like it shouldn't be
8 one that has no --

9 ADVISORY BOARD MEMBER RAMSEY: Well, then again I
10 would just reiterate what the Navy -- that while it's true
11 there is some Records of Decision that are already up and
12 we've been hearing from since we were in the process of
13 reestablishing the RAB back in, you know, the December and
14 January timeframe, that these things had been in the work
15 and they were the first ones that were going to come up.
16 And, in fact, the Records of Decision for the Site 1
17 landfill, the proposed plan for that when the plan was
18 first presented in a formal public meeting was, I believe,
19 '99 -- 1999. The same I believe for the Sites 13 and 17
20 ROD, which, when it was originally proposed plan, also in
21 1998-1999 timeframe, for the official public meeting to
22 discuss that Record of Decision, at the time back in '98,
23 '99 it was actually a 13, 17, 22 and 27 -- Two other
24 sites, installation restoration sites were included in
25 that ROD. They were subsequently kicked out because there

1 was additional work required.

2 So just to respond, we do recognize that some
3 things appear that -- for people that have just came here
4 to this RAB, they seem like they're -- we're too late,
5 it's moving beyond us. You just have to recognize there
6 was RABs -- there was a RAB for Concord that occurred, you
7 know, years ago, there were comments presented and they
8 had presentations on the remedial investigations and there
9 were feasibility studies, and again the proposed plans and
10 these draft RODs.

11 You know, in the last year, as the project
12 manager for U.S. EPA, I -- we just inherited these things.
13 They've been sitting for several years. And so we're also
14 tasked with trying to get this work done, because this
15 isn't a lifetime job. And these decisions have been --
16 have their regulatory histories all laid out. There are
17 agencies positions along ago. And just part of my task of
18 course to come in and say, here, we have this revised
19 draft final Record of Decision and we have to move this
20 thing along and we'll try to make this the last push in
21 getting these things done. So we understand some of the
22 RABs positions, but you do have to understand there is
23 some histories behind these projects, and there is public
24 comments and things also just generally, Ms. Freitas.

25 CO-CHAIRPERSON MORLEY: Marcus.

1 CO-CHAIRPERSON O'CONNELL: I want to address
2 that. That's -- Phil, I'd have to disagree real strongly.
3 We put in a memo -- RAB members put in a memo in February
4 about the Tidal Area 1 site. And we called to the Navy's
5 attention a lot of irregularities with the way this has
6 been handled. A lot of irregularities. And basically
7 every issue that we raised was just basically kissed off,
8 ignored, told that looks fine.

9 One of the things that got me about what you just
10 said is about the fact we've had some public comments
11 before on Tidal Area 1.

12 Let me reiterate again public comments that we
13 got. There were two individuals that -- the public
14 comments we received. One was the Navy employee, a public
15 relations guy for the Navy. The other was the Chair of
16 the RAB at the time.

17 That was the total extent of the public comment
18 that went out. And this is one of the most serious sites
19 at the Weapons Station. And that's one of the reasons why
20 this RAB unanimously said we do not approve; you do not
21 have community support for the way -- for the remediation
22 for your ROD; you do community support for your Record of
23 Decision.

24 But to say that this has had public comment is
25 ridiculous. And we're trying to slow the process down so

1 that we can get some technical expertise come in and look
2 at the situation through our -- through the use of
3 technical grants. And we're not able to do that. No one
4 will slow it down for us. There is no reason for it not
5 to be slowed down except for funding. That's the sole
6 reason. There's no threat to public health.

7 ADVISORY BOARD MEMBER RAMSEY: Well, I mean we
8 could -- I would really like to have a discussion, because
9 at some point we're going to need to talk about the Site 1
10 ROD. And when the Navy and the EPA can get to an
11 agreement on final requirements, it would be my desire for
12 a combination of the Navy and EPA to present the
13 information and our rationale for where we've reached on
14 that decision. So it would be my pleasure, Marcus, to be
15 able to be a part of that presentation to all the RAB
16 members.

17 The one thing I just want to point out to you is,
18 there is more public information, more public input that's
19 been submitted than what's documented in those previous
20 RODs that are included in the back as public response,
21 something like that, or the response of the summary, for
22 the public meeting that was held, that is documented in
23 that ROD.

24 And, in particular, I am aware there was letters
25 issued by the RAB -- or a letter issued by the then

1 community Co-Chair I believe on the Site 1 ROD that was in
2 support of the overall capping thing. I should really --
3 definitely I won't defend the Navy anymore -- they should
4 actually go and find those documents and present them to
5 you. It just -- the fact is that, you know, there have
6 been different voices expressed about the decision to a
7 certain extent on the landfills --

8 CO-CHAIRPERSON O'CONNELL: -- disagreement,
9 because it's never been at -- for instance, the California
10 Department of Fish and Game has been against the
11 remediation -- the proposal out here at the ROD.

12 You know about that. You were there.

13 ADVISORY BOARD MEMBER RAMSEY: Well, no, I was
14 not, actually.

15 CO-CHAIRPERSON O'CONNELL: Well, you've heard
16 about it, I'm sure. Jim was there, I'm sure.

17 MR. PINASCO: Marcus, they were to a point. They
18 were largely convinced that --

19 CO-CHAIRPERSON O'CONNELL: The boss people --
20 persons themselves, it was my understanding, was not
21 convinced, that they were only convinced through --
22 because higher ups in California's Department of Fish and
23 Game said we had no personal experience with this site,
24 said, "We just don't want to fight it."

25 MR. PINASCO: That's not something I've heard.

1 So I can't comment on that.

2 CO-CHAIRPERSON MORLEY: Can I interrupt for just
3 a second.

4 We can talk about that after --

5 ADVISORY BOARD MEMBER O'BRIEN: I'd like to
6 address the issue that Phillip brought up. And I think
7 the core issue, if I'm distilling his thoughts correctly,
8 is "The public be damned. We have a timetable to adhere
9 to, and we will disregard public input if public input
10 gets in the way." And I find that really irritating.

11 Secondly, he talks about public participation.
12 And we're not just talking about certain people making
13 comments and documents. We are talking in a community
14 relations plan about doing public outreach, to find out
15 what Joe Blow in the street knows about the toxic cleanup
16 here at Concord Naval Weapons Station. So let's get this
17 correct.

18 CO-CHAIRPERSON MORLEY: I think that's also true.
19 But we also are looking for how does Joe Blow want to be
20 informed about the Concord -- if he doesn't know anything,
21 does he want fact sheets, does he want to come to the RAB,
22 does -- you know, that's part of the community --

23 ADVISORY BOARD MEMBER O'BRIEN: Well, this whole
24 thing is not geared for -- sorry to use the word "Joe
25 Blow" -- but the average community member, because the way

1 this whole thing is set up, we're going to talk about key
2 people who are always involved in the community issues,
3 and that is where this thing is going to stay. And I find
4 great fault with that, Theresa.

5 I also find great fault -- and I'm going to
6 reiterate it again. We have driven home to you for -- or
7 to this organization, to the Navy, for a long, long time
8 that Bay Point is a community that borders on the cleanup
9 area directly, and it should be treated as a separate
10 community. You have twice tonight lumped us in with
11 Pittsburg. So I think you should just change my card and
12 say "Pittsburg resident."

13 CO-CHAIRPERSON MORLEY: I understand that, and I
14 apologize for that --

15 ADVISORY BOARD MEMBER O'BRIEN: I mean you joke
16 about it, but there's something serious under here.

17 CO-CHAIRPERSON MORLEY: No, I'm aware. And we
18 actually had after the -- I think it was the July RAB
19 where we handed out the demographic information, Tetra
20 Tech has gone back and done that by community. And I
21 think that was handed out in August. And Bay Point was
22 separated. We do understand that that's an economic
23 justice community and it borders the Weapon Station, and
24 that is going to be addressed.

25 But that's also why we're asking you for people's

1 interview because that's how we get a lot of information.
2 And I'm sorry that you guys feel that it's a marketing tool
3 because it's really not. On the couple that I've sat in
4 on and done the interviews, we don't really get much --
5 it's not like a real positive thing for the Navy to go
6 through, but it's worthwhile. And when we listen to the
7 people, we get really good information. And what we also
8 get from the interviewees is other people to interview, to
9 say, "Hey, have you talked to this person?", or, you know,
10 "This person does this." And it's not necessarily like
11 politicians and stuff like that, but civic groups, you
12 know, people that get together. We talked to like the Pan
13 American Association and find out certain things like
14 different cultures actually which, we communicated with in
15 different ways.

16 So we really -- I mean I reiterate, I'm sorry
17 that you guys feel this way, but we really are interested
18 in finding out what people know and how they want to be
19 communicated with. And I don't know how to convince you
20 of that other than to tell you.

21 ADVISORY BOARD MEMBER O'BRIEN: Well, when I came
22 in here tonight I was somewhat open to the community
23 relations plan. After hearing what's gone on here tonight
24 with regard to Pittsburgh-Bay Point is one entity, hearing
25 Phillip's comments, I feel -- I concur with Marcus. I

1 don't want anything to do any further with this. And I
2 wish you'd just go ahead and do the community relations
3 plan as you see it, as Pat Ryan sees it, and not waste our
4 time anymore in these meetings on that plan. And let's
5 call it a day.

6 ADVISORY BOARD MEMBER RYAN: Well, I'd just like
7 to say that it's unfortunate that you don't want to
8 participate. But I would urge other -- I have been asking
9 for months for a list of potential interviewees. It
10 doesn't matter if it's the man that lives down the street
11 from you on the corner. Anyone you think that would be
12 useful to us to interview.

13 And, as Theresa mentioned, throughout the
14 interview process one of the questions is "Is there
15 anybody else you think would like to be interviewed?" And
16 when we get names, we contact those people, and it often
17 results in interviews. So the list is not a static list.
18 It's a list that's very flexible.

19 And I urge you to please give us some names, if
20 you would, to help us in our efforts.

21 CO-CHAIRPERSON MORLEY: Okay. Thank you.

22 And I forgot to mention at the beginning of the
23 RAB, Gregg, can you give us an update on the web site, the
24 Concord web site.

25 MR. SMITH: Yeah, the Web site is up. We're

1 still operating on the old server, which I crashed because
2 I tried putting documents on it, and I didn't know it
3 needs a certain amount of space to cache things already on
4 the server. And so basically I got one document on, which
5 I think was the IR manual. Nothing else will fit right
6 now. They are in the process of -- I think they've
7 already bought a new server. Last I checked, which was
8 about a week ago, they were in the process of buying it.
9 Then they got to set it up, stick all the stuff on it.
10 And then I'll have about -- instead of no space, I'll have
11 about 20 gigabytes of storage space.

12 However, it's my goal to eventually stick every
13 single document related to the IR program of both Concord
14 an Seal Beach on that site.

15 So at this point we're still waiting on getting a
16 new server in there. I'd like to say two weeks, but I
17 just can't promise that because I don't know what our IT
18 support backlog is like. But we should have -- start
19 getting documents up by the next meeting. And if there
20 are any particular documents that you guys would like to
21 see sooner rather than later, just -- it's going to take a
22 while to go through all this stuff and get it up. Please
23 e-mail me, e-mail Theresa, and those will be the first
24 documents you'll see up there.

25 CO-CHAIRPERSON O'CONNELL: I tried to log on a

1 couple of times and I was unable to. I got a four oh four
2 error.

3 MR. FREITAS: Tom Freitas.

4 Did you use an Internet explorer -- Microsoft
5 Explorer?

6 CO-CHAIRPERSON O'CONNELL: I can't remember which
7 one.

8 MR. FREITAS: If you have Netscape or something
9 like that, it won't work.

10 MR. SMITH: If you use an older version of
11 Netscape there have been problems. If you use the latest
12 version of Netscape or Microsoft Internet Explorer, you
13 shouldn't have a problem. But, Marcus, you might have
14 been logging on during the times when I was responsible
15 for the whole damn thing coming down.

16 Do me a favor, and if you could try again over
17 the next day or two, and e-mail me if it still doesn't
18 work for you and let me know what kind of browser you're
19 using. And there's one thing I might change in the way it
20 sets up, which is the problem that the older version of
21 Netscape had. And I -- so I might do a little rearranging
22 on some stuff so even the older version of Netscape works.
23 And if you're still having a problem, I will definitely do
24 that.

25 ADVISORY BOARD MEMBER RYAN: Gregg, I got two

1 different URL's for that. And one of them worked and one
2 of them didn't. So perhaps you could resend the correct
3 one. One of them I got an error message and another one
4 worked.

5 MR. SMITH: I'll resend it to the whole RAB just
6 to make sure everybody has the correct one.

7 ADVISORY BOARD MEMBER RYAN: That would be great.
8 Thank you.

9 ADVISORY BOARD MEMBER FREITAS: I just wanted to
10 go on record that I'm going to walk this over to Pat.
11 There's several hundred names on here that I gave to the
12 EPA at the beginning. So if you copy those and then give
13 them back to me, because some of them are for my personal
14 use for things I do. And they're from Dana Estates and
15 different areas, Communities for Better Environment,
16 things like that. So that will give you a start.

17 ADVISORY BOARD MEMBER RYAN: Do you have their
18 phone numbers?

19 ADVISORY BOARD MEMBER FREITAS: I don't have all
20 the phone numbers. Some of them, I do. But there's
21 addresses. And at least that will give you a start. Some
22 have phone numbers.

23 ADVISORY BOARD MEMBER RYAN: Sure. Great. Thank
24 you.

25 CO-CHAIRPERSON MORLEY: And also the document

1 that you sent me has been -- we did locate that and copy
2 that. That's in the information repository. And It has
3 been scanned. As soon as Gregg stops working on the web
4 site, we'll be able to get it up.

5 CO-CHAIRPERSON O'CONNELL: One other thing on
6 that, the repository. There's big gaps. There's a lot
7 of -- there were a lot of missing documents. I don't know
8 what the current status is, but up to a month ago there
9 was still a lot of missing documents.

10 CO-CHAIRPERSON MORLEY: Yes. Claudette, can you
11 stand up.

12 Because we couldn't get the '03 money, we've
13 tasked Weston to go clean that up. And also do the index.
14 When we looked, there was only the index by year, which
15 was really difficult to find. So they need to have an
16 alphabetical one and the one by site. So they're going to
17 clean that up for us, and we'll be able to have the audit
18 sheet.

19 CO-CHAIRPERSON O'CONNELL: There's document
20 numbers for each document in the repository. And if
21 somebody could just go down the and see if those documents
22 actually exist there.

23 MS. ALTAMIRANO: We'll do a full audit to make
24 sure that all the documents are there. And then we have a
25 library guy who will go through and basically redo the

1 index. So instead of being by data report, we can sort by
2 a number of different ways so it would be offered or
3 site --

4 CO-CHAIRPERSON O'CONNELL: That would be very
5 useful.

6 MS. ALTAMIRANO: And that would -- give us a
7 couple weeks to get this started.

8 ADVISORY BOARD MEMBER FREITAS: Some was
9 scheduled this last week.

10 CO-CHAIRPERSON MORLEY: I know some things
11 missing.

12 ADVISORY BOARD MEMBER FREITAS: There's
13 everything missing. 2001 was the last -- they said
14 somebody had come in and picked up a lot of the material
15 to change some documents or something. And so that
16 everything -- I mean because I wanted to go check on 13
17 and 17 and 22, and there was nothing on the new materials
18 there.

19 CO-CHAIRPERSON MORLEY: In the Concord library?

20 ADVISORY BOARD MEMBER FREITAS: Yeah.

21 CO-CHAIRPERSON MORLEY: Okay.

22 CO-CHAIRPERSON O'CONNELL: The administrative
23 record has been maintained with any regular basis. And so
24 there was -- I think there hadn't been any record in it
25 for year and a half last -- and there's been a lot of

1 stuff done and lot of letters.

2 CO-CHAIRPERSON MORLEY: Okay. We'll check on
3 that, because -- and that's one of the things that you'll
4 be getting every month, is that -- the sheet that has
5 those documents on it.

6 Okay. Does anyone have any suggested agenda
7 items for October? We're going to take a look at what
8 documents are coming up for review and do technical
9 presentations so that you have some idea of what you'll be
10 reviewing before you get that document. But is there
11 anything in particular that's someone wanted?

12 CO-CHAIRPERSON O'CONNELL: Bylaws.

13 CO-CHAIRPERSON MORLEY: Okay. Thank you.
14 Phillip.

15 ADVISORY BOARD MEMBER RAMSEY: I'd just like to
16 reiterate the comments I had with Gil on the 28th. I
17 spent over an hour and a half speaking with the Navy about
18 proposed agenda items, and had suggested the Navy have a
19 technical presentation tonight. My suggestions to the
20 Navy was in the next two months I need to have a
21 presentation dealing on the tidal area sites 2, 9, 11
22 because we're expecting an RI report. The Navy proposed
23 that date be moved back. But it was originally coming in
24 in January, I believe, in the original draft amendments of
25 the SMP.

1 I also suggested to the Navy that they give a
2 presentation on the Taylor Boulevard Bridge Disposal Site
3 where a -- we're going to be working through the data gap
4 sampling for a supplemental RI there. And so an RI is
5 expected shortly also.

6 And they may want to consider a short
7 presentation on the Site 22 where we got a sampling
8 analysis plan for that arsenic in soil field work.

9 CO-CHAIRPERSON MORLEY: Okay. Thank you.

10 ADVISORY BOARD MEMBER RIVERA: Just a general
11 comment on that.

12 Navy is taking those recommendations and we
13 intend to move out on them. However, there is no contract
14 vehicle in place because there is no money. So we're
15 waiting for '03 money. And if possible, we'll try to use
16 other contract vehicles that we have available to us to do
17 the presentations -- the technical presentations.

18 I haven't approached the contractor on that. We
19 have to look at this very carefully because I don't want
20 to get myself into a meet grinder having to do the --
21 having the contractor execute work that's not contracted
22 for. So I have to be very careful with that.

23 But we are intending to do technical briefs on
24 particular sites reflecting the priorities that we
25 mutually agreed to with the U.S. EPA.

1 CO-CHAIRPERSON MORLEY: Anything else?

2 All right. Okay.

3 ADVISORY BOARD MEMBER RAMSEY: The other comment
4 I would make just real quickly is we hope the Navy can
5 come to some agreement on what the agenda is, and as soon
6 as possible, so we don't wait to the last minute on what
7 those discussions are going to be. That was another
8 problem, I believe, because we didn't have the discussion
9 about tonight's agenda. We do try to make this as
10 beneficial, as productive, as responsive to the RAB as we
11 can. We also would like the input from the RAB members
12 also.

13 Thank you.

14 CO-CHAIRPERSON MORLEY: Thank you everybody.

15 We'll see you on October 7th.

16 (Thereupon the Naval RAB meeting adjourned
17 at 8:30 p.m.)

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2 I, JAMES F. PETERS, a Certified Shorthand
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10 I further certify that I am not of counsel or
11 attorney for any of the parties to said meeting nor in any
12 way interested in the outcome of said meeting.

13 IN WITNESS WHEREOF, I have hereunto set my hand
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